

02/03/21 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT (DISPENSARY)
(TITLE 30)

HUALAPAI WAY/PEACE WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-20-0572-FTH NEVADA INC:

USE PERMIT for a proposed marijuana establishment (dispensary) within an existing retail building in conjunction with a shopping center on a portion of 3.5 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Hualapai Way and the south side of Peace Way within Spring Valley. JJ/md/jd (For possible action)

RELATED INFORMATION:

APN:

163-19-316-003 through 007 ptn

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4510 Hualapai Way
- Site Acreage: 3.5 (portion)
- Project Type: Marijuana establishment (dispensary)
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 4,500
- Parking Required/Provided: 168/186

Site Plan & Request

This is a request to relocate a dispensary to an existing 4,500 square foot building within an existing shopping center consisting of 4 buildings, totaling 33,408 square feet. The existing building is located at the northwest corner of the shopping center, adjacent to Hualapai Way and Peace Way. Access to the site is granted via existing commercial driveways located along Hualapai Way and Peace Way. The shopping center requires 168 parking spaces where 186 parking spaces are provided.

Landscaping

All street and site landscaping exists and no additional landscaping is required or provided.

Elevations

The plans depict an existing 1 story retail building with an overall height of 30 feet to the top of the parapet wall. The exterior of the building consists of a stucco finish and an aluminum storefront window system with door treatments. The building is painted with neutral, earth tone colors.

Floor Plans

The plans depict an existing 4,500 square foot building consisting of a product intake area, delivery storage, reception area, curbside/express pick-up area, office, lobby, display area, dispensary, break room, and restroom facilities.

Signage

Signage is not a part of this request.

Applicant's Justification

The proposed establishment is located within a retail shopping center. The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, or other matters affecting the public health, safety, and general welfare. Essence has a significant security system and provides a safe, secure, and professional atmosphere for their patients and customers.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0281-05	1 lot commercial subdivision	Approved by PC	June 2005
DR-1445-04	Shopping center	Approved by PC	September 2004
ZC-0559-99	Reclassified the project site to C-2 zoning for a future commercial development	Approved by BCC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 du/ac to 32 du/ac)	R-4	Multiple family development
South	Office Professional	C-1	Mini-warehouse
East	Residential High (8 du/ac to 18 du/ac)	R-3	Undeveloped
West	Major Development Project (Summerlin South)	R-2	Single family residential development

Related Applications

Application Number	Request
UC-20-0586	A use permit for a proposed marijuana establishment (retail marijuana store) is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The applicant has submitted documentation from the State of Nevada indicating completion of the application evaluation process for a dispensary license. The separation survey shows that all the required separations from community facilities and schools are being met. The applicant has submitted the required security and transportation plans. The crime report indicates that within a 1 mile radius, 72 crime reports were filed by Metro in the 60 days prior to the application submittal. The submitted location analysis indicates the retail marijuana store is adequately separated from other retail marijuana stores to prevent a high concentration of stores within close proximity. Building elevations indicate that a professional appearance will be maintained.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Traffic study and compliance;
- Grant pedestrian access easements at the driveway locations.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NATURAL MEDICINE

CONTACT: NATURAL MEDICINE, 3025 E. SAHARA AVE, LAS VEGAS, NV 89104